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 1033 U.S. PTO
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 05/31/01

Please type a plus sign (+) inside this box ☒ → ☐
 Approved for use through 10/31/2002. OMB 0651-0032
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 31248-1001
 First Inventor Thomas P. Griego
 Title SUBMICRON AND NANO SIZE PARTICLE
 ENCAPSULATION BY ELECTROCHEMICAL
 PROCESS AND APPARATUS
 Express Mail Label No. EL847395444US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
 (Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
 See 37 CFR 1.27.
3. ☒ Specification [Total Pages 34]
 (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 19]
5. Oath or Declaration [Total Pages 7]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
 (for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney] (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Other: Express Mail Certificate; Associate Power of Attorney; Request and Certification Under 35 USC 122(b) (2) (B) (i)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____

Prior application information. Examiner _____ Group I Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

or ☐ Correspondence address below

Name 05179
 PATENT TRADEMARK OFFICE
 Address
 City State Zip Code
 Country Telephone Fax

Name (Print/Type) Rod D. Baker Registration No. (Attorney/Agent) 35,434
 Signature Date May 31, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PTO/SB/17 (08-00)

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**FEE TRANSMITTAL
for FY 2000**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 391 + 40

Complete if Known

Application Number

Filing Date

May 31, 2001

First Named Inventor

Thomas P. Griego

Examiner Name

Group Art Unit

Attorney Docket No.

31248-1001

METHOD OF PAYMENT (check one)

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

13-4213

Deposit
Account
Name

Peacock, Myers & Adams

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
-
- Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

101 690 201 345 Utility filing fee

106 310 206 155 Design filing fee

107 480 207 240 Plant filing fee

108 690 208 345 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

355

SUBTOTAL (1) (\$) 355

2. EXTRA CLAIM FEES

Total Claims 24 -20** = 4 X Fee from below 9 = Fee Paid 36

Independent Claims - 3** = X =

Multiple Dependent X =

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 78 202 39 Independent claims in excess of 3

104 260 204 130 Multiple dependent claim, if not paid

109 78 209 39 ** Reissue independent claims
over original patent110 18 210 9 ** Reissue claims in excess of 20
and over original patent

SUBTOTAL (2) (\$) 391

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

105 130 205 65 Surcharge - late filing fee or oath

127 50 227 25 Surcharge - late provisional filing fee or
cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination112 920* 112 920* Requesting publication of SIR prior to
Examiner action113 1,840* 113 1,840* Requesting publication of SIR after
Examiner action

115 110 215 55 Extension for reply within first month

116 380 216 190 Extension for reply within second month

117 870 217 435 Extension for reply within third month

118 1,360 218 680 Extension for reply within fourth month

128 1,850 228 925 Extension for reply within fifth month

119 300 219 150 Notice of Appeal

120 300 220 150 Filing a brief in support of an appeal

121 260 221 130 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,210 241 605 Petition to revive - unintentional

142 1,210 242 605 Utility issue fee (or reissue)

143 430 243 215 Design issue fee

144 580 244 290 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Petitions related to provisional applications

126 240 126 240 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per
property (times number of properties)146 690 246 345 Filing a submission after final rejection
(37 CFR § 1.129(a))149 690 249 345 For each additional invention to be
examined (37 CFR § 1.129(b))

179 690 279 345 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination
of a design application

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 40

SUBMITTED BY

Name (Print/Type)

Rod D. Baker

Registration No.
(Attorney/Agent)

35,434

Complete (if applicable)

Telephone

(505) 998-1504

Signature

Date

May 31, 2001

**WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.**

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Practitioner's Docket No. 31248-1001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas P. Griego, et al.

Application No.: 0 / UNKNOWN Group No.: UNKNOWN

Filed: May 31, 2001 Examiner: UNKNOWN

For: SUBMICRON AND NANO SIZE PARTICLE ENCAPSULATION BY ELECTROCHEMICAL PROCESS AND APPARATUS

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL847395444US

Date of Deposit May 31, 2001

I hereby state that the following *attached* paper or fee

Utility Patent Application Transmittal; Fee Transmittal, in duplicate, with \$391 fee check; specification (34 pp); drawings (19 sheets); Combined Declaration and Power of Attorney, fully executed; Application Data Sheet; Assignment Recordation Cover Sheet and Assignment with \$40 fee check; Associate Power of Attorney; Request and Certification under 35 USC 122(b)(2)(B)(i); post card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Diane S. Nelson

Typed or printed name of person mailing paper or fee

Diane S. Nelson

Signature of person mailing paper or fee

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

(Express Mail Certificate [8-3])

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Thomas P. Griego

Title

SUBMICRON AND NANO SIZE PARTICLE
ENCAPSULATION BY ELECTROCHEMICAL PROCESS AND

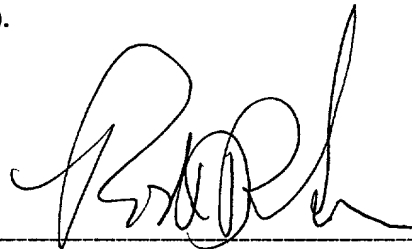
Atty Docket Number

APPARATUS
31248-1001

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 31, 2001

Date



Signature

Rod D. Baker, Reg. No. 35,434

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.